

Certificate of the qualification of a notary public, shall have thereon an impression of the seal of such notary, and the Secretary of State shall acknowledge the receipt of such certificate, and in such acknowledgment shall state whether such seal conforms to the law; and the clerk, on receiving such acknowledgment, with a statement that such seal does not conform to the law, shall notify such notary of that fact, and it shall be the duty of such notary to procure a seal in accordance with the law; and until he procure such seal he shall not act as a notary public.

Approved April 1, 1868.

CHAPTER 61.

INCORPORATION OF TOWNS AND CITIES.

APRIL 1. AN ACT to Provide for the Incorporation of Towns or [and] Cities.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That no town or city shall hereafter be incorporated in the State of Iowa in any other manner than as herein provided. None of the provisions of this act shall apply to cities or towns already incorporated.

SEC. 2. When the inhabitants of any part of any county, not embraced within the limits of any city or incorporated town, shall desire to be organized into a city or incorporated town, they may apply by petition in writing, signed by not less than thirty of the qualified voters of the territory to be embraced in the proposed city or incorporated town, to the county court of the proper county, which petition shall describe the territory proposed to be embraced in such city or incorporated town, and shall have annexed thereto an accurate map or plat thereof, and state the name proposed for such city or incorporated town, and shall be accompanied with satisfactory proofs of the number of inhabitants within the territory embraced in said limits.

SEC. 3. When such petition shall be presented, the court shall forthwith appoint five commissioners, who shall at once call an election of all the qualified electors residing within the territory embraced within said limits, as described and platted, to be held at some con-

venient place within said limits, the notice for which shall be given by publication in some newspaper published within said limits (if any there be), and by posting notices in five public places within said limits, not less than three successive weeks preceding such election. Such notices shall specify the place and time of such election, and a description of the limits of said proposed town or city, and that a description and plat thereof are on file in the office of the county judge. Said commissioners shall act as judges and clerks of election, and shall qualify as required by law for judges and clerks of township elections, and shall report the result of the ballot to the county judge aforesaid. The ballot used at such election shall be, "For incorporation," "Against incorporation."

Notice published.
What notice must specify.
Conduct of election.

Sec. 4. If at said election a majority of said ballots shall be cast for incorporation, the county judge shall immediately give notice of the result in a newspaper, (or if there be none, by posting) as aforesaid, and shall state in such notice to which of the classes, as named in section 1078 of the Revision of 1860, said incorporated town or city belongs; and said county judge shall indorse on said petition the substance of the last-mentioned notice; and said petition so indorsed, together with the description and plat, shall be filed and recorded in the recorder's office of the proper county, and also a copy of the same shall be deposited with the Secretary of State.

Co. judge to publish notice of favorable result.
Rev. § 1078.
Class.
Notice indorsed on petition.
Filed in recorder's office.
Filed in Secretary's office.

Sec. 5. So soon as said record shall be made, and said copy deposited as required in section four, and the election and qualification of officers hereinafter provided shall have taken place, the inhabitants within the limits described in said petition shall be deemed an incorporated town or city, as the case may be, and notice of its existence as such shall be taken in all judicial proceedings in the State.

Commencement of incorporation.

Sec. 6. When the record mentioned in section four hereof shall have been made, said commissioners shall immediately give public notice by publication two consecutive weeks in some newspaper (if any there be) published within the limits of such town or city, and also by posting up notices in five public places in said town or city, of the time and place of holding the first election for officers thereof. Said commissioners shall preside at said election in the same manner as judges and clerks of township elections, and said election shall be conducted and the officers elected and qualified in the

Notice of election of officers.
Conduct of election.

Qualification of officers. **manner prescribed by law for the election and qualification of township officers: *Provided*, The officers to be elected shall be the same required by chapter fifty-one of the Revision of 1860, for the class to which said town or city shall belong, as shown by the certificate and notices of the county judge required by section four hereof, and they shall continue in office only until the time of the regular election of said officers and until their successors are elected and qualified.**

Term of office. **four hereof, and they shall continue in office only until the time of the regular election of said officers and until their successors are elected and qualified.**

§§ 1030-1037, Rev. of 1860, repealed. **SEC. 7. Sections 1030, 1031, 1032, 1033, 1034, 1035, 1036, and 1037, of the Revision of 1860, and all acts or parts of acts inconsistent with the provisions of this act, are hereby repealed.**

SEC. 8. This act being deemed of immediate importance shall be in force from and after its publication in the State Register and Iowa Statesman, published in Des Moines.

Approved April 1, 1868.

I hereby certify that the foregoing act was published in the *Daily State Register* April 7, 1868, and in *The Iowa Evening Statesman* April 7, 1868.

ED WRIGHT, *Secretary of State.*

CHAPTER 62.

ACTS OF COUNCIL OF CEDAR FALLS LEGALIZED.

APRIL 2. **AN ACT to Legalize the Acts of the City Council and Officers of the City of Cedar Falls, and the Incorporation of said City.**

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That all assessments heretofore made, and taxes levied, in the city of Cedar Falls, and all acts of the city council, and other officers in said city, and the incorporation of said city, as a city of the second class, is hereby legalized and declared valid, to the same extent and with the like effect, as though a president *pro tempore* of the city council, and a city assessor, had been duly elected, and acted, and as though the law in regard to the incorporation of cities of the second class, and the election and appointment of officers therein, had been fully and completely complied with.

SEC. 2. This act, being deemed of immediate importance, shall be in force and effect from and